Legal sanctity for live-in-relationship

4022. SHRI RAMA MUNI REDDY SIRIGIREDDY : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that recently Allahabad High Court delivered a judgement giving legal sanctity for live-in relationship;

(b) if so, what is the reaction of Government on this judgement;

(c) whether it is not going to affect our institution of marriage and emotional bond linked with it; and

(d) if so, what steps Government is contemplating in this regard to save the institution of marriage in India ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : (a) to (d) In the case of Payal Katara *Vs.* Superintendent, Nari Niketan Kalindri Vihar, Agra and others, the Allahabad High Court upholding the constitutional right of the citizens as enshrined in article 19 and 21 of the Constitution of India held that the petitioner, a lady about 21 years of age—being a major, has right to go anywhere and that anyone—man and woman even without getting married can live together if they wish. The Judgement has not commented against the institution of marriage or its sanctity.

Illicit arms trade in the country

4023. SHRI H.K. JAVARE GOWDA : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that illicit arms and arms trade are threat to the country's security, if so, the details of the cases filed against accused, State-wise;

(b) if not, whether punishment prescribed under various laws are too meagre and insufficient, if so, what steps Government propose to take to enhance the punishment; and

(c) whether Government propose to amend law in respect of bail to the accused persons in arms cases as there should not be bail till disposal of cases, if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYASAGAR RAO) : (a) Yes, Sir. However, information regarding details of the cases filed against various accused in different States is not maintained centrally.

(b) and (c) The existing provisions under the Arms Act and Rules for punishment to the accused persons for offences committed under the Arms Act are fairly stringent and adequate. A need has been voiced from several quarters to further tighten the existing bail provisions in respect of certain offences under the Arms Act. Feasibility of accepting the proposal is being assessed.

Protecting guilty doctor of Kalavati Saran Hospital, Delhi by Delhi Police

†4024. SHRI JHUMUK LAL BHENDIA : Will the Minister of HOME AFFAIRS be pleased to state

(a) whether it is a fact that due to the gross negligence of doctors of Kalavati Saran Hospital, Delhi a child died on 30th March, 1999 and a case under Section 304 'A' was registered with the Mandir Marg Police Station, New Delhi at the direction of the Supreme Court;

(b) whether it is also a fact that police has overlooked the Supreme Court to protect the guilty doctor; and

(c) if not, what are the details of the procedures adopted by the police and the action taken thereon ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHENNAMANENI VIDYASAGAR RAO) : (a) A case was registered at Mandir Marg Police Station on the complaint of Dr. G.S. Chandrakar that his son was refused emergency medical treatment at Kalawati Saran Hospital as a result of which he died while being shifted to Lady Hardinge Hospital.

(b) No, Sir.

(c) In the course of investigation, Delhi Police was informed by the Director General of Health Services that a committee of doctors constituted to find if there was any lapse on the part of the attending lady doctor had found that she had not committed any lapse. In view of the said finding of the committee, Delhi Police have moved the court for cancellation of the case.

†Original notice of the question was received in Hindi.